

**INSTRUCTIONS FOR
MOTION AND ORDER TO WAIVE FILING FEES – KENT LOCATION**

Updated March 2014

If you believe that you are unable to afford the filing fee and related surcharges in your civil or family law court case, you may request that the court waive it. In determining whether the filing fee should be waived, the Court will consider your ability to pay. In doing so, the court may apply a financial availability table based on 125% of the Federal Poverty Standard (see below). If there is a joint petition in a family law matter, your income will be added to your spouse's income in determining eligibility for a filing fee waiver.

However, the court may also waive the requirement for you to pay filing fees if your income is above the thresholds below, but finds that you have recurring basic living expenses which render you unable to pay the fees, or it may waive the fees if it finds there are other compelling circumstances to do so. If you are represented by a Qualified Legal Services Provider, that provider may obtain a fee waiver by presentation of the forms designated for their use.

Family Size	1	2	3	4	5	6	7	8	9 or more
Maximum Monthly Income*	\$ 1,216	\$ 1,639	\$ 2,061	\$ 2,484	\$ 2,907	\$ 3,330	\$ 3,753	\$ 4,176	Add \$423 for each additional person
Maximum Annual Income*	\$14,588	\$19,663	\$24,738	\$29,813	\$34,888	\$39,963	\$45,038	\$50,113	Add \$5,075 for each additional person

* "Income" means net income received, after taxes and child care costs are deducted.

The court may also waive the filing fees if you are currently receiving assistance under a needs-based, means-tested assistance program such as the following:

- Federal Temporary Assistance for Needy Families (TANF)
- State-provided general assistance for unemployable individuals (GA-U or GA-X)
- Federal Supplemental Security Income (SSI)
- Federal poverty-related veteran's benefits
- Food Stamp Program (FSP)

If using any of the above as the basis for waiver of filing fees, please bring evidence, such as a copy of a recent benefits award letter.

FORMS TO USE:

The Court has standard forms for obtaining fee waivers, which you are to use even though you may have obtained similar forms elsewhere. The forms are available at no cost in the Clerk's Office (Room 2-C, on the 2nd Floor of the Kent Regional Justice Center) or the Family Law Facilitator (3-D), and on the Washington Courts website: www.courts.wa.gov (directly: [Forms / General Rule 34 Request for Waiver of Civil Filing Fees and Surcharges](#)).

1. Motion and Declaration for Waiver of Civil Fees and Surcharges
2. Order Re Waiver of Civil Fees and Surcharges
3. Financial Statement (If you qualify for a fee waiver because you currently receive needs-based, means-tested benefits as identified above, **you do not need to complete this form.**)

INSTRUCTIONS:

1. Fill out all forms completely. Be sure to sign and date the "Motion and Order" and the "Financial Statement." (If you qualify for a fee waiver because you currently receive needs-based, means-tested benefits as identified above, **you do not need to complete this page.**)
2. Take the completed forms along with your completed Petition or Complaint to the *Ex Parte* Department (Room 1-J, on the 1st Floor of the Kent Regional Justice Center) to have a Commissioner review your request and sign the order.
 - If the Commissioner signs the Order, you will be able to file your case without paying the filing fee. In a family law matter, you may be required to pay the Courthouse family law facilitator fee; also, you or your spouse may be required to pay the filing fee later if there is a joinder to the petition.
 - If the waiver is denied, you will be required to pay the filing fee to file your case.
3. After obtaining a signed, approved Order, take it and all your case initiating forms to the Cashier's Window in the Clerk's Office. **You must** file the originals of all forms the same day the Commissioner signs the order. DO NOT remove this order from the courthouse.
 - The Ex Parte and Probate Department (Room 1-J) is open 9:00 a.m. to 11:45 and 1:30 p.m. to 4:00 p.m.
 - The King County Superior Court Clerk's Office is open 9:00 a.m. to 4:30 p.m.
 - To contact Family Law Facilitators, call 206-205-2526.